

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re:

FACTORY 2-U, INC.,

Debtor.

Chapter 7

Case No. 04-10111

**ORDER** RE: Docket No. 1684

Upon consideration of the "Stipulation By and Between Factory 2-U, Inc. and Discover Financial Services, Inc., Providing for Relief from the Automatic Stay, Offset and Other Related Relief" (the "Stipulation"), and it appearing that due and proper notice of the Stipulation has been given, and after due deliberation, and sufficient cause approving therefore;

IT IS HEREBY ORDERED that:

1. The Stipulation is approved in accordance with its terms. .
2. The parties to the Stipulation are directed to comply with its terms and the Court shall retain jurisdiction to enforce the Stipulation and this Order.
3. All applicable stays or injunctions, including the automatic stay under §362 of the Bankruptcy Code, are hereby terminated, vacated and annulled to permit Discover to take any actions necessary to effectuate the setoffs and any other actions authorized by the Stipulation.
4. Discover is hereby authorized to offset the Claim of \$712.82 against the Held Funds in the amount of \$6,822.49.<sup>1</sup> Following such setoff, Discover shall remit the remaining Held Funds in the amount of \$6,109.67 to Jeoffrey L. Burtch, Esq., the duly-appointed interim trustee (the "Interim Trustee"), who was appointed on or about January 27, 2005


<sup>1</sup> All capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Stipulation.  
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following the conversion of the above-captioned case from a case under Chapter 11 to a case under Chapter 7.

5. The Debtor, Discover, and the Interim Trustee have agreed that Discover shall remit payment of the Held Funds to the Interim Trustee.

6. The Stipulation and Order shall be binding on any successor or other trustee appointed subsequent to the Interim Trustee.

SO ORDERED this 4 day of February 2005.

  
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The Honorable Peter J. Walsh  
United States Bankruptcy Judge